

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

COMPANION PROPERTY AND
CASUALTY GROUP, a South Carolina
corporation,

Plaintiff,

vs.

CONSOLIDATED AGENCY PARTNERS
dba MENICUCCI INSURANCE
ASSOCIATES, a Delaware corporation,
et al.,

Defendants.

3:12-cv-0595-HDM-VPC

MINUTES OF PROCEEDINGS

September 19, 2013

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: H. Jordan REPORTER: FTR

COUNSEL FOR PLAINTIFF(S): Gina Mushmeche and Gena Sluga (By Telephone)

COUNSEL FOR DEFENDANT(S): James Murphy, Jenny Foley, Jorge Ramirez and Day Williams

(All By Telephone)

PROCEEDINGS: CASE MANAGEMENT CONFERENCE

9:10 a.m. Court Convenes.

The Court addresses the parties regarding the purpose of this hearing.

The Court and counsel discuss the pending Motions (Doc. Nos. 112, 114 and 115). Having heard from counsel and good cause appearing, the Court finds as follows:

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IT IS HEREBY ORDERED that Defendants' Motion to Compel Discovery (Doc. #112) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. **REQUEST FOR PRODUCTION NO. 5:**

The parties agree to continue to meet and confer on this issue. If counsel are unable to reach an agreement, they shall raise it again at the next scheduled case management conference.

2. **REQUEST FOR PRODUCTION NO. 10:**

Mr. Murphy shall propound a Request for Admission to Plaintiff with respect to its concern about whether there is a possibility of a subrogation action based upon a reinsurance agreement Plaintiff has with other insurers by **Monday, September 23, 2013**. Plaintiff shall respond to this Request for Admission by **Wednesday, October 3, 2013**.

The Court states it is not persuaded that the reinsurance agreement may be the subject of discovery at this point so it will not compel the production of the items requested in Request for Production No. 10. However, if after Mr. Murphy reviews the response to Request for Admission and continues to feel there is some kind of need, counsel shall meet and confer further regarding the issue. If counsel are unable to reach an agreement, they shall raise it again at the next scheduled case management conference.

3. **REQUEST FOR PRODUCTION NOS. 14 AND 15:**

Counsel report that these issues have been resolved. Therefore, these requests are rendered moot.

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4. **REQUEST FOR PRODUCTION NOS. 21 AND 22:**

Plaintiff's supplemental responses to Request for Production Nos. 21 and 22 shall be produced to Mr. Murphy, counsel for Consolidated Agency Partners and Karen Faust, no later than close of business on **Friday, September 27, 2013**.

5. **REQUEST FOR PRODUCTION NOS. 29 AND 30:**

Notwithstanding Mr. Murphy's complaints about the delay in production of documents, counsel report that these documents have subsequently been produced. Therefore, these requests have been resolved and are rendered moot.

6. **REQUEST FOR PRODUCTION NO. 31:**

With respect to Request for Production No. 31, Plaintiff's counsel and Mr. Murphy have agreed to table this issue. In the interim, counsel shall meet and confer to see if they can reach an agreement. If counsel are unable to reach an agreement, they shall raise it again at the next scheduled case management conference.

IT IS FURTHER ORDERED that with regard to Defendants' Motion to Extend Scheduled Deadline (Doc. #114) and Motion for Leave to Amend Pleading (Doc. #115), Mr. Williams shall propound an expedited Request for Admission to counsel for Plaintiff by **Monday, September 23, 2013**. Counsel for Plaintiff shall respond to the Request for Admission by **Wednesday, October 3, 2013**. Mr. Williams shall notify the Court and withdraw the Motions if he is satisfied with Plaintiff's response to the Request for Admission. Therefore, Defendants' Motion (Doc. Nos. 114 and 115) shall be held in abeyance until the next scheduled case management conference.

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